REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

The official fees for five (5) independent claims and a total of twenty five (25) was already paid in this application.

Claims 1-8, 16 and 18 are rejected, under 35 U.S.C. § 102(e), as being anticipated by Kain '183. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

As the Examiner is aware, in order to fully support an anticipation rejection under 35 U.S.C. § 102(e), the cited reference must disclose each and every limitation of the presently claimed invention. Specifically, each of the independent claims recites that the connecting strap is permanently and non-removably affixed to the child car seat in one of the plurality of strap paths and being sufficiently long so that respective ends, extending from each side of the strap path in which the strap is permanently fixed, can also pass through and cross within the other of the front strap path. That is, in one position of the child car seat, the connecting strap is capable of passing along and through both strap paths in a cross over fashion. Such claim amendments more definitively recited the inventive features of the present invention, namely, that the strap is always non-removably fixed in one of the strap paths and cannot be modified or removed from that strap path and the connection strap passes through both strap paths in a cross over fashion only in one position of the child car seat.

As stated in previous responses, the importance of the non-removable feature was addressed in the Background of the Invention section, which clearly states, in paragraph 007 of the specification, that "[i]t is important and in some cases mandatory, however, that the connecting strap or straps cannot be removed entirely from the seat because this may

encourage people to use the seat without any connecting straps". In other words, the strap may not be removed from the strap path.

The Examiner asserts that the strap of Kain `183 is indeed permanently fixed in the strap path of the juvenile vehicle seat described therein. The Applicant respectfully submits that a strap which is capable of being removed from its strap path is in no way "permanently and non-removably affixed" as explicitly recited by the presently pending claims. In fact, Kain `183 explicitly illustrates this removable quality in Figure 4 of that reference reproduced below for the convenience of the Examiner.

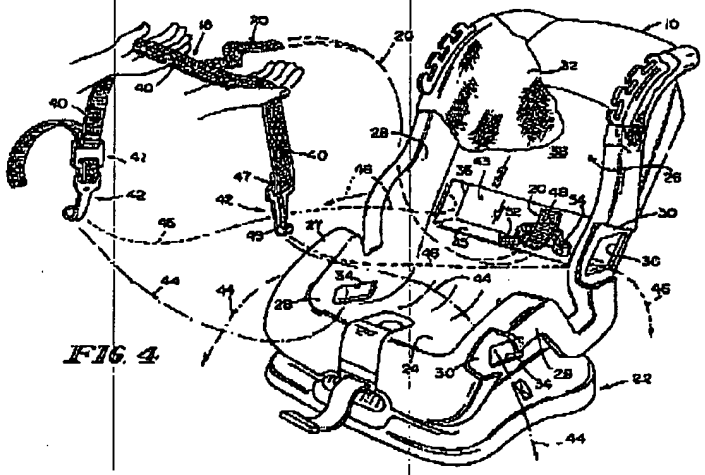

FIG. 4

It is quite obvious from the above illustration that the strap illustrated in Kain `183, while it may be affixed, is removable and thus not "non-removably affixed" as required by the presently pending claims. According to FIG. 4 of Kain `183, this reference teaches that the strap can be entirely removed from the seat. The Brief Description of the Drawings section of Kain `183 states that "FIG. 4 is a view similar to FIG. 1 showing movement of the anchor belt

into either a lower set of slots (to anchor the juvenile seat in a rearwardly facing position . . .) or an upper set of slots (to anchor the juvenile seat in a forwardly facing position . . .)" (Emphasis added). Accordingly, the Applicant respectfully submits that the raised 35 U.S.C. § 102(e) rejection cannot be supported by equating the phrases "permanently fixed in" and "capable of being located at". In other words, the fact that the Kain `183 reference is capable of being located in either the front or the rear strap paths is not the same as the present invention, wherein the strap is "permanently and non-removably affixed" in either one of the strap paths. Each of the independent claims is amended to more clearly define this feature of the presently claimed invention.

Secondly, the Applicant respectfully submits that the strap of Kain `183 is quite different from that of the present invention. Specifically and as seen below in FIG. 10 of Kain `183, the strap of Kain `183 comprises two straps aligned perpendicularly to one another and inserted into the strap path for attachment of the seat.

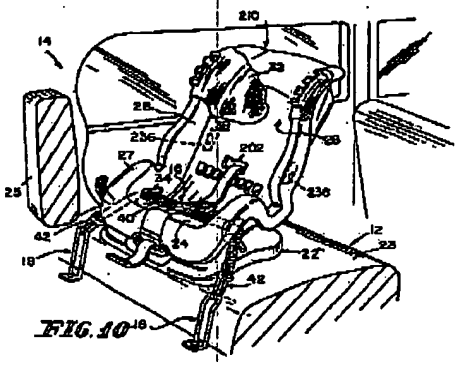

FIG. 10

Conversely, the present invention contains a continuous elongate strap having two opposed ends. The simplicity of this design allows a single elongate strap to cross over itself in only one of the front and rear facing positions rather than requiring two straps 20, 40. All of the presently pending claims currently recite the limitation, in one position of the child car seat,

in which the ends of the connecting strap crossing over one another, which further distinguishes the presently claimed invention from applied Kain `183 citation.

FIG. 2 of the present invention is reproduced, to the right, and clearly shows the straps extending out the opposite side of the rear strap path for use when the seat is in one of the forward and rearward facing positions, e.g., the rearward facing position. It is important to note that, in the rearward facing position, the strap 6 is permanently affixed through the rear strap path 7, but the strap 6 extends from and thus passes through both the rear strap path and the front strap path in order to secure the child car seat to the vehicle seat via the latches.

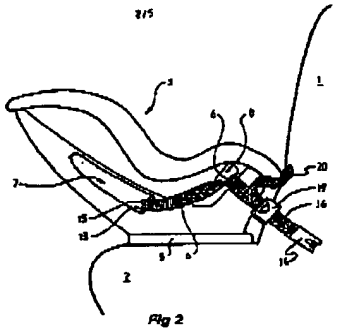

Fig 2

Again noting FIG. 10 of Kain `183, it is respectfully submitted that nowhere is it any way taught, suggested or disclosed that the strap 40, when the seat is in either the rearward or the forward facing position, extends through or along both the front and the rear strap paths as specifically recited in each of the presently pending independent claims. In view of the above amendment and remarks, the Applicant respectfully requests withdrawal of the raised 35 U.S.C. § 102(e) rejections in view of the applied art of Kain `183.

Claims 9-15 and 17 are next rejected, under 35 U.S.C. § 103(a), as being obvious in view of Kain `183. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

As Kain `183 fails to in any way teach, suggest or disclose the above noted distinguishing features of the presently claimed invention, it is respectfully submitted that Kain `183 also fails to render obvious the presently claimed invention for at least the very same reasons. According, the Applicant respectfully requests withdrawal of the raised 35 U.S.C. § 103 rejections in view of the applied art of Kain `183.

Claims 1-8, 16 and 18 are then rejected, under 35 U.S.C. § 102(e), as being anticipated by Mullen `548. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

As the Examiner is aware, in order to fully support an anticipation rejection under 35 U.S.C. § 102(e), the cited reference must disclose each and every limitation of the presently claimed invention. Mullen `548 discloses a latch system for a child car seat wherein a securing belt 102 is attached to the latches which then are connected to anchors 50 in the vehicle. The inventive concept of Mullen `548 appears to relate to a loop portion in the connection member 108 that allows the securing belt 102 to be slidably disposed therein. This connection member 108 can rotate about the chair, thereby allowing the strap to be inserted into either the "rear" or the "front" strap paths with ease.

The present invention is distinctly different from the teachings of Mullen `548 for several reasons. First, the amended and new claims recite the limitation of permanently and non removably affixing the strap into either the rear or front strap path. Although FIG. 1 of Mullen `548 illustrates the strap located in the rear strap path, FIG. 2 teaches the strap located in the front strap path. Therefore, the strap is not permanently and non-removably affixed within either strap path, but can freely move from one strap path to another. Column 6, lines 22-26 describe the adjustability of the strap as "[the length] allows the connection member to be folded from the state shown in Figure 2 [the strap inserted into the rear strap path] . . ., to the state shown in FIG. 1 [the strap inserted into the front strap path]. . ..".

Further, according to Mullen `548, the securing belt 102 always passes through only one of the "rear" or the "front" strap paths when securing the child car seat in either the front or the rear facing positions. The securing belt 102 never passes through both the "rear" and the "front" strap paths when securing the child car seat in either one of the front or the rear facing positions, as with the presently claimed invention. In view of the above amendment and

remarks, the Applicant respectfully requests withdrawal of the raised 35 U.S.C. § 102(e) rejections in view of the applied art of Mullen `548.

Claims 9-15 and 17 are then rejected, under 35 U.S.C. § 103(a), as being obvious in view of Mullen `548. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

As Mullen `548 fails to in any way teach, suggest or disclose the above noted distinguishing features of the presently claimed invention, it is respectfully submitted that Mullen `548 also fails to render obvious the presently claimed invention for at least the very same reasons. According, the Applicant respectfully requests withdrawal of the raised 35 U.S.C. § 103 rejections in view of the applied art of Mullen `548.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Kain `183 and Mullen `548 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejections should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

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